

**PHL 403: Advanced Moral Philosophy—The Ethics of Killing**

Spring 2019

Tuesdays and Thursdays, 11:20-12:40, MSB 104

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 T & Th 1:30pm-3:30pm, & by appt.

**Course Description**

One area of consensus in ethics is that killing is often or typically wrong. Yet even about this there is disagreement about what *makes* killing wrong. This disagreement is not confined to the philosophy classroom—it is expressed in public debates about the ethics of abortion, the ethics of killing animals, and the ethics of euthanasia and assisted suicide, for example.

One source of disagreement in these cases is disagreement about whether fetuses and animals are *like us* in the relevant way that would make killing them wrong. So, we need to figure out what *we* are, and what about us makes killing us *wrong*. Another source of disagreement is confusion about why death is *bad* in the first place—and about whether death for animals or fetuses is bad for them in the same way and to the same degree that it is bad for us. So we need to figure what makes death bad. Answering these questions forces us also to determine the ethical significance, if any, of species membership.

In this course we’ll study two recent books that attempt, using different philosophical methods, to address these issues. Jeff McMahan’s book, *The Ethics of Killing,* uses a method of carefully examining and systematizing our moral intuitions about particular cases. On the other hand, Christine Korsgaard’s book, *Fellow Creatures*, develops and draws on a general moral theory (influenced by the work of Immanuel Kant). One of these two books’ authors, Jeff McMahan, will visit UAH and our class in April.

**Required Texts**

1. Jeff McMahan, *The Ethics of Killing: Problems at the Margins of Life* (New York: Oxford University Press, 2003).
2. Christine Korsgaard, *Fellow Creatures: Our Obligations to the Other Animals* (New York, Oxford University Press, 2018).
3. Articles available via the Canvas website.

**Assignments**

1. Class Participation (10% of the final grade)

Philosophy seminars are a place for informed participation in class. That includes:

* 1. Arriving to class on-time
	2. Contributing relevant questions and comments to class discussion. (The reading questions on the following pages are designed to help you prepare for class discussion.)
	3. Thoughtful listening and engagement with the questions and comments of your classmates during class.
1. Short In-Class Writing Assignments (18% of the final grade= 18 x 1%)

At the beginning of each class, I’ll ask you to write an answer to one of the reading questions for that class. Often I will give you an option of which question to answer. You’ll have about five minutes (sometimes longer, depending on the question) to write down your answer. I encourage you, if you like, to have already answered some or all of that day’s reading questions before you arrive to class. *Each question must be answered in fewer than 200 words*.

Each writing assignment is worth 1% of the final course grade. We have about 25 class meetings. Your lowest seven grades (out of 25), will be dropped.

1. Three critical questions for Jeff McMahan (6% of the final grade)

This written assignment involves posing three questions about McMahan’s text. For each question, you need to do the following:

a. Identify and explain one claim that McMahan makes in his text and

b. Provide one reason for seriously doubting the truth of that claim.

This written assignment should be shorter than 1000 words total. Due via Canvas by March 27th at 11:59pm.

1. Take-Home Mid-Term and Take-Home Final Exams (32% of the final grade = 2 x 16%)

These exams consist largely of reading questions posted below. (Kittay and Kosgaard questions will be provided in February.) Exams will be distributed on week before they are due, on March 1st and April 26th by 11:59pm, respectively.

1. Two 5-7 Page Papers (32% of the final grade = 2 x 16%)

I will provide paper topics to you two weeks in advance of the due dates. With my permission you may also write a paper on a topic (relating to course texts) of your choice. Papers are due on February 8th and April 12th by 11:59pm.

**Policy on Late Assignments**

In-Class writing assignment cannot be taken late, except in the event of a UAH-sponsored activity or a personal emergency which you notify me of as soon as possible. Unexcused late paper assignments and midterm exams will be penalized as follows:

Time Late Added Penalty

1 second to 24 hours late 10% of the assignment grade

1 day to 3 days late 5% of the assignment grade per day (plus the above)

3 days to 13 days late 1% of the assignment grade per day (plus the above)

Late final exams will not be accepted.

**Grading Scale**

A+ : 96%+

A : 93-95%

A- : 90-92%

B+ : 87-89%

B : 83-86%

B- : 80-82%

C+ : 77-79%

C : 73-76%

C- : 70-72%

D+ : 67-69%

D : 63-66%

D- : 60-62%

Receiving these percentages guarantees the corresponding letter grade. Students on the borderline of two grades will be bumped up only if they have completed all assignments and if the final exam reflects the higher score.

**Disability Accommodations**

Students with disabilities should contact UAH’s Disability Support Services at 256.824.1997, 256.824.6672 (Fax), or dssproctor@uah.edu. (Website: http://www.uah.edu/health-and-wellness/disability-support) If you have a letter from the Disability Services Office indicating you have a disability that requires academic accommodations, please present the letter to me so we can discuss accommodations for the class.

**Plagiarism**

All instances of suspected plagiarism will be reported to the Director of Student Conduct at UAH for investigation. If an investigation confirms that plagiarism took place, then the assignment will receive a score of zero and the student will be subject to University penalties. The following information summarizes UAH’s understanding of plagiarism (from http://libguides. uah.edu/plagiarism):

“Plagiarism - failing to acknowledge our debts to others - is using others' ideas and words without clearly acknowledging the source of that information….

“Give credit whenever you use

* another person's idea, opinion, or theory.
* any facts, statistics, graphs, drawings - any pieces of information - that are not common knowledge.
* quotations of another person's actual spoken or written words.
* a paraphrase of another person's spoken or written words.

“Common types of plagiarism include

* quoting material from another source without making citation.
* citing only one source while combining materials from several.
* citing fake sources to hide the amount of quoting/paraphrasing or to shortcut finding all the sources used.
* changing the content of sources to make it sound more relevant. Copying the general structure, argument, or techniques of a source without attribution.”

**Disclaimer**

The professor reserves the right to change terms of the syllabus at his discretion.

**Tentative Reading Schedule**

**Part 1: Personal Identity: What Are We?**

**Week 1: Are We Souls?**

T 1.8: Introduction. Briefly discuss *EoK*, 3-7

Th 1.10: *EoK*, “1.2: The Soul,” 7-24, especially 9-10, 17-19, and 23-24

1. Question for 1.2.1 (especially pages 9-10): What argument does McMahan give for denying that we are souls who begin to exist at conception?
2. Question for 1.2.2 (especially pages 17-19): What are the three common objections that McMahan raises against the Cartesian view that we are souls?
3. Question for 1.2.3 (especially pages 23-24): Read the six cases (*The Whole-Body Transplant* (20), *The Brainstem Transplant* (20), *The Cerebrum Transplant* (21), *Loss of One Hemisphere* (22), *Loss Followed By Transplantation* (22), and *Division* (23)), especially *Division*. Do you think one would survive in all of these cases? Why does Division pose a particularly acute problem for the theory that we are souls?

**Week 2: Are We Human Organisms or Psychological Beings?**

T 1.15: *EoK*, 1.3: “Are We Human Organisms?” 24-39, especially 24-25, 29, 31, 34-35, 35-39

1. Question for 1.3.1 (especially 24-25): Why does the Human Organism theory imply that “person” is a phase sortal?
2. Question for 1.3.3 (especially the first and last paragraphs of 1.3.3): What is McMahan’s Brain Transplant argument against the theory that we are essentially human organisms?
3. Question for 1.3.4: What is McMahan’s Dicephalus argument against the theory that we are essentially human organisms?

Th 1.17: *EoK*, 1.4: “The Psychological Account,” especially 39-43, 46-48, (skip 1.4.4), 57-58, 66.

* + - 1. Question for 1.4.1 (especially 39-40): What is McMahan’s Branching Argument that the Psychological Account fails to provide a sufficient condition of personal identity?
			2. Question for 1.4.1 (especially 41): Explain Parfit’s claim that identity is not what matters. Why does he believe this? (This question is important for you to be able to answer.)
			3. Question for 1.4.3 (especially 46-47): What is McMahan’s Pre- and Post-Person Argument against the Psychological Account?
			4. Question for 1.4.5 (especially 57-58): What is McMahan’s *The Suicide Mission*, *Multiple Replication*, and *Double Replication* Argument against Parfit’s Psychological Account of Egoistic Concern?
			5. Question for 1.4.6 (especially 66): What is Williams’s *Deprogramming* Argument against Parfit’s Psychological Account of Egoistic Concern?

**Week 3: Are We Embodied Minds?**

T 1.22: *EoK*, 1.5.1 & 1.5.2, especially 67-69, 70-74, 77, 79\* (make sure to read this useful summary), 80-81

1. Question for 1.5.1 (especially 67-69): What is the Embodied Mind Account of personal identity? How does it differ from other accounts of personal identity?
2. Questions for 1.5.2:
	1. What is Parfit’s Challenge? How does McMahan reply? (70-74)
	2. Read *The Cure*. Would it be in your best interest to take the treatment? (77)
	3. What are one’s time-relative interests? How do these differ from one’s interests (as traditionally understood)? (80)
	4. McMahan considers and replies to an objection. Is his reply adequate? (81)

Th 1.24: *EoK*, 1.5.5, 88-94

1. Explain the distinction between identity and constitution as it relates to the statue example (on page 89).
2. What is McMahan’s One Consciousness Too Many Argument against the constitution view (near the bottom of page 89)?
3. Explain McMahan's part-whole account of the relation between ourselves and our organisms on 92-93, in reference to the tree and car horn examples. (Make sure you see why this account differs from the identity and constitution views, as McMahan explains on 93.)

**Part 2: Death: What Makes It Bad?**

**Week 4: Are Some Deaths Worse Than Others? If so, Why?**

T 1.29: *EoK*, 2.1: “Preliminaries,” 2.2.1: “Immortality” (*read only the first two paragraphs of 2.2.1, on page 98*), 2.2.2: “The Problem of Comparison,” 2.3.1: “A Plurality of Comparisons,” 95-98 & 103-112.

1. General Question: Can one death be worse than another for the person who dies? (Ignore the badness of the *experience* of dying; just consider the death itself.)
2. Question for 2.1 (esp. 96-97): What is Schopenhauer's argument that death does not really involve our destruction? What is McMahan's objection? Who is correct?
3. Question for 2.2.1 (page 98): What does it mean to say that death cannot be bad because of its intrinsic features? Why is this supposed to be true?
4. Questions for 2.2.2:
	1. (Esp. 105): How does Feldman’s Life Comparative Account of the badness of death differ from McMahan’s Time-Relative Interest Account?
	2. (Esp. 106-107): Explain the epistemological problem. Do you agree that it is "real and unavoidable" (107)?
5. Questions for 2.2.3:
	1. (Esp. 109): Explain the metaphysical problem. How does it differ from the epistemological problem?
	2. Explain Broome's solution to the metaphysical problem (110-111), and McMahan's reason for rejecting it (111-112).

Th 1.31: *EoK*, “2.6.1: The Time-Relative Interest Account,” “2.6.2: Narrative Unity …” (*read 183-185 only*) & “2.7: A Paradox,” 165-174, 183-188

1. Questions for 2.6.1:
	1. (Esp. 165-168): What is the “parallel problem” (165) that McMahan discusses? What is Wright's solution (166-167) and why does McMahan reject it (167-168)?
	2. (Esp. 168-169): What is Feldman's solution and why does McMahan reject it?
	3. (Esp. 170-171): What is McMahan's solution?
2. Question for 2.6.2 (183-185): Do you agree that how bad one’s death is depends on all seven factors listed on 184? Are there factors you would add to the list?
3. Question for 2.7: This section discusses a paradox (185-186). What is it? How does McMahan resolve it?

**Part 3: Killing: What Makes It Wrong?**

**Week 5:**

T 2.5: *EoK*, “3.1: The Wrongness of Killing and the Badness of Death,” 189-203

1. Questions for 3.1.1:
	1. Briefly explain the difference between the two accounts of the wrongness of killing. Why does mcm say that the first account is "naturally associated" (191) with the claim that letting someone die is just as wrong as killing someone?
	2. (Especially 192-194): explain mcm' objection to the harm based account. Why, in particular, does the harm-based account presuppose the Life-comparative account of the badness of death?
	3. (Especially 193): What should we do in the case of spontaneous division? Explain.
2. Questions for 3.1.2:
	1. (Especially 195-198): Why, roughly speaking, is the maximum amount of good that an animal’s life might contain less than the typical amount of good that a person’s future holds in prospect? McMahan gives "two obvious reasons" (195) and at least four additional reasons.
	2. (Especially 199): Who loses more good upon death, and why, according to McMahan: an infant or an adult animal?
	3. (Especially 199-203): Explain Grandin's and Thomson's view that the killing of animals is generally unobjectionable if it is done without causing suffering. What is McMahan's argument against this view?

Th 2.7: *EoK*, “3.2.1: The Options” & “3.2.2: Membership in the Human Species,” 203-217

1. Questions for 3.2.1:
	1. (Especially 206): Explain the “four broad strategies for resolving the tension between our moral intuitions about severely mentally impaired human beings and our intuitions about animals” (206).
	2. (Especially 208): What is radical egalitarianism, and why does McMahan reject it?
2. Questions for 3.2.2:
	1. What is McMahan’s main reason for doubting that the features of an individual that make them a homo sapiens (whether genotype (212) or the potential for interbreeding with other homo sapiens (214)) can be intrinsically morally significant in a way that justifies anthropocentrism?
	2. (Especially 215-216): Explain Finnis’s and Scanlon’s theory of why species membership matters. Why, according to McMahan, does the Superchimp pose a problem for their theory? Friday, 2.8: Paper #1 Due

**Week 6:**

T 2.12: *EoK*, “3.2.4: Convergent Assimilation,” 228-232

1. What is McMahan’s argument for the claim that “the pain of animals matters about as much as the equivalent pain of human beings” (229)? Why does he say “about as much” instead of “exactly as much”?
2. (Especially 231-232): What are McMahan’s three reasons for believing that Convergent Assimilation does *not* “commit us to the shocking conclusion that severely retarded human beings and animals with comparable psychological capacities should receive the same form of treatment” (231)?

Th 2.14: *EoK*, “3.3.1: The Time-Relative Interest Account,” 232-240

1. (Especially 233-235): What challenge for the time-relative interest account of the wrongness of killing does the *Raskolnikov* case (234) illustrate?
2. (Especially 235-236): What is the equal wrongness thesis (235)? Why does McMahan say “It is compatible with that thesis to recognize that the wrongness of killing can vary in ways that are consistent with the fundamental equality of persons” (235)? List the four factors that McMahan mentions in his explanation (236).
3. (Especially 238-240): What are McMahan’s three critiques of our intuitions in the Raskolnikov cases?

**Week 7:**

T 2.19: *EoK*, “3.3.2: The Requirement of Respect for Persons,” 240-251

1. Explain what McMahan has to say about “The idea that all people have an equal time-relative interest in continuing to live because all people’s lives are of equal value” (241).
2. McMahan says, “We must, therefore, seek a different understanding of the wrongness of killing” (241-242). What account of the wrongness of killing is he rejecting? Why exactly did he reject it? What alternative account does he defend (see 243)?
3. (Especially 244-248): What is the first “serious objection” (244) that McMahan raises to the Intrinsic Worth Account of the wrongness of killing? What is his response to this objection? (Make sure to explain what he calls the Two-Tiered Account.)
4. (Especially 248-251): What is the second serious objection that McMahan raises to the Intrinsic Worth Account of the wrongness of killing? What is his response to this objection?

Th 2.21: *EoK*, “3.3.3: The Basis of the Worth of Person,” 251-265

1. (Especially 253-254): What is Rawls’s theory of the bases of worth and respect? (Make sure to explain what a “range property” is.) How does McMahan respond to Rawls’s theory?
2. (Especially 254-256): What is Margalit’s theory of the bases of worth and respect? How does McMahan respond to Margalit’s theory?
3. (Especially 256-258): What is Warren Quinn’s theory of the morality of respect? What is McMahan’s first “serious objection” (257) to this theory? What is the second objection, based in the case of the Deluded Pessimist (257-258)?
4. (Especially 261-265): What problem does the status of children pose for the autonomy account of the basis of moral worth (261)? List the possible solutions to the problem that McMahan considers.

**Week 8:**

T 2.26: Eva Feder Kittay, “At the Margins of Moral Personhood,” *Ethics* 116 (2005), 100-117

1. (page 110-112): Why does Kittay believe it may be rational for a parent to mourn the death of their anencephalic child?
2. (page 112-114): What is Kittay’s response to McMahan’s Superchimp example?

Th 2.28:Eva Feder Kittay, “At the Margins of Moral Personhood,” *Ethics* 116 (2005), 117-131

1. (page 117-126): What is Kittay’s objection to McMahan’s comparison between nationalism and judging all humans to have the same moral worth?
2. (page 126-131): What is Kittay’s objection to McMahan’s assessment of the cognitive capacity of the CSMR?

Friday, 3.1: Take-Home Midterm Due

**Week 9:**

T 3.5: Korsgaard, *FC*, 4.1-4.3, pp. 53-67

1. What are the two ways we use the term ‘good’? (54)
2. What is Hume’s argument for believing that our moral nature makes us morally good? (56-57) What is Korsgaard’s response to Hume’s argument?
3. What is the difference between internal and external standards? (58) Does Korsgaard think moral standards are internal or external?
4. What reason does Korsgaard give for denying that our moral nature makes us superior to animals? (Summary on page 59)

Th 3.7: *FC*, 4.4-4.5, pp. 67-74

1. What is the argument that Korsgaard is “tempted by” (61-63)? What is the problem with this argument? (63-65)
2. What is Korsgaard’s response to McMahan’s claim that death is worse for a human than it is for an animal because human life has a narrative structure? (4.3.9)
3. What is Korsgaard’s response to Mill’s claim that humans are better off than animals because only humans enjoy “higher pleasures”? (4.4.1)
4. Explain the point of Korsgaard’s Napoleon example. (72)
5. Explain the point of Korsgaard’s example of turning a squirrel into Aristotle. (73)

**Week 10:**

T 3.12: *FC*, 5.1-5.2, pp. 77-85

1. What is the “Argument from Marginal Cases”?
2. What is Korsagaard’s first reason for believing that the Argument from Marginal Cases is “metaphysically flawed”? What is her second reason? What is her third reason?

Th 3.14: *FC*, 5.3-5.4, pp. 86-96

1. What does it mean to say moral standing is atemporal? Explain, giving an example of an atemporal claim. (5.3.2)
2. What three philosophical problems does Korsgaard say that an atemporal conception of moral standing solves or helps to solve? (5.3.5-6)

T 3.19: Spring Break

Th 3.21: Spring Break

**Week 11: Korsgaard**

T 3.26: *FC*, 8.1-8.5, pp. 131-145

* 1. What is Korsgaard’s argument for the conclusion that the absolute goodness of our ends is a presupposition of rational action? (Especially 8.4.1)
	2. What is Korsgaard’s argument for the conclusion that we must treat all animals as ends in themselves? (8.5, especially 8.5.3 and 8.5.5)

Wednesday, 3.27: Three Questions for McMahan Due

Th 3.28: *FC*, 8.6-8.8, pp. 146-155

1. Explain Korsgaard’s remark that “morality is just the human way of being an animal.” (8.6.1, 146)
2. What are the three possibly troubling consequences that Korsgaard says her argument presents for Kant’s vision of the Kingdom of Ends as a sort of morally perfect world? (8.8)

**Week 12:**

T 4.2: \*McMahan Visit.\* Read McM NYT

Th 4.4: McMahan Visit.\* Read Korsgaard, 10.1, 10.4, 10.5, 11.7

**Week 13:**

T 4.9: 1.1-1.4, pp. 3-15

1. Explain Korsgaard’s reasoning for the conclusion that creatures do not stand in some absolute rank ordering of importance. (1.3.1)
2. Explain Korsgaard’s response to the objection that humans are superior to animals because things in general just matter more to people than they do to the other animals. (1.4.1)
3. Explain Korsgaard’s response to the objection that humans are superior to animals because human existence is fraught with higher meaning and value. (1.4.1)

Th 4.11: 2.1-2.4, pp. 16-35

1. Explain the difference between the evaluative/functional sense of “good” and the final sense of “good.” (2.1.3)
2. What is an animal, according to Korsgaard? How do animals differ from other functional objects? How do animals differ from plants?
3. Explain Korsgaard’s argument that life is a good for almost any animal. (2.1.8)

Friday, 4.12: Paper #2 Due

**Week 14:**

T 4.16: *FC*, 9.1-9.6, pp. 156-169

1. Korsgaard agrees with Singer about moral standing being based on the capacity for pleasant and painful experiences. How does her view differ from his?
2. Explain the two views of pleasure and pain that Korsgaard discusses in 9.3.
3. What is Hedonism? Explain Korsgaard’s criticism of Hedonism. (9.4)
4. What is Korsgaard’s alternative to Hedonism?

Th 4.18: [APA Pacific]

**Week 15:**

T 4.23: [Last Day of Class] Catch-Up

 Friday, 4.26: Second Take-Home Exam Due